IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.7542 of 2000

Dated: 25-04-2007

Between:

1. K. Kuppa Naidu, s/o late K. Munusway Naidu,
   r/o M. Kothur village, Nagari Mandal,
   Chittoor District and 2 others.

... Petitioners

and

1. The District Collector,
   Chittoor and 2 others.

... Respondents

ORDER:

Heard learned counsel for the parties.

2. Petitioners state that their father late K. Munuswamy Naidu got land in an extent of Ac.0-92 cents in Sy.Nos.121 and 122 of 95 Mungadu Accounts, M. Kothur village, Nagari Mandal, Chittoor District. Adjoining the said land there was a Harijana colony. Their father purchased the said land from Harijans about 35 years back by

way of registered sale deeds and the lands were made fit for cultivation. As respondents without initiating any proceedings as provided for under the Land Acquisition Act, 1894 (for short, 'the Act') are trying to evict them from the lands in question with an intent to distribute house site pattas to some of the villagers, they approached this Court and filed the present writ petition.

3. Despite the fact that the notices are served, respondents have not chosen to file any counter affidavit. Hence, this Court has no hesitation to accept the contention put forth by learned counsel for petitioners.

4. Accordingly, the writ petition is disposed of with a direction to respondents not to evict the petitioners from out of the lands in question, without following due process under law. No costs.

JUSTICE GOPALAKRISHNA TAMADA

Dt.25-04-2007
GLV